

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FIFTH THIRD BANCORP, an Ohio corporation, and
FIFTH THIRD BANK, an Ohio banking corporation,

Plaintiffs,

-against-

CERTAIN UNDERWRITERS AT LLOYD'S
SUBSCRIBING TO POLICY NUMBERS
B0509QA048710, and B0509QA051310, AXIS
INSURANCE COMPANY, ACE INSURANCE
COMPANY, FEDERAL INSURANCE COMPANY,
CONTINENTAL INSURANCE COMPANY,
FIDELITY AND DEPOSIT INSURANCE COMPANY
and ST. PAUL MERCURY INSURANCE COMPANY,

Defendants.

Civil Action No. 1:14-cv-869

**UNDERWRITERS' MOTION FOR
PROTECTIVE ORDER AS TO RULE 30(B)(6) NOTICES**

David P. Kamp (OH 0020665)
Brian D. Goldwasser (OH0061926)
WHITE GETGEY & MEYER CO., L.P.A.
1700 Fourth & Vine Tower
One West Fourth Street
Cincinnati, OH 45202
dkamp@wgmlpa.com
jmccoy@wgmlpa.com
bgoldwasser@wgmlpa.com
Telephone (513) 241-3685

John W. Blancett (admitted *pro hac vice*)
Christopher Losquadro (admitted *pro hac vice*)
Christopher Novak (admitted *pro hac vice*)
William J. Brennan (admitted *pro hac vice*)
SEDGWICK LLP
john.blancett@sedgwicklaw.com

christopher.losquadro@sedgwicklaw.com

christopher.novak@sedgwicklaw.com

william.brennan@sedgwicklaw.com

225 Liberty Street, 28th Floor

New York, NY 10281

Telephone (212) 422-0202

*Attorneys for Certain Underwriters at Lloyd's
Subscribing to Policy Numbers B0509QA048710
and B0509QA051310, AXIS Insurance Company,
and Federal Insurance Company*

Defendants Certain Underwriters at Lloyd's subscribing to Policy Numbers B0509QA048710 and B0509QA051310 (Lloyd's Syndicates 2488 ("ACE"); 2007 ("Novae"); 1183 ("Talbot"); and 1084 ("Chaucer"), collectively "Lloyd's"); AXIS Insurance Company ("AXIS"); and Federal Insurance Company ("Federal") (Lloyd's, AXIS, and Federal are collectively referred to herein as "Underwriters") hereby move for a protective order pursuant to Fed. R. Civ. P. 26(c) concerning identical Rule 30(b)(6) Deposition Notices that Plaintiffs Fifth Third Bancorp and Fifth Third Bank (collectively, "Fifth Third") served on each of the Lloyd's Syndicates, AXIS and Federal. Specifically, Underwriters respectfully request that the Court enter an order granting Underwriters a protective order under Rule 26(c)(1): (1) prohibiting Fifth Third from deposing, or serving further discovery demands on, Chaucer, Novae, and Talbot; (2) striking Topic Nos. 1-5, 6, 11-12, and 14-17 from the 30(b)(6) Notices served on Underwriters; and (3) ordering Fifth Third to pay the reasonable fees and costs incurred by Underwriters in bringing this motion; and for such other and further relief as the Court deems just and equitable.

Dated: January 23, 2017
New York, New York

Respectfully submitted,

/s/ William J. Brennan
David P. Kamp (OH 0020665)
Jean Geoppinger McCoy (OH 0046881)
Brian D. Goldwasser (OH0061926)
WHITE GETGEY & MEYER CO., L.P.A.
1700 Fourth & Vine Tower
One West Fourth Street
Cincinnati, OH 45202
dkamp@wgmlpa.com
jmccoy@wgmlpa.com
bgoldwasser@wgmlpa.com
Telephone (513) 241-3685
*Attorneys for Certain Underwriters at Lloyd's
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*B0509QA051310, AXIS Insurance Company, and
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SEDGWICK LLP

john.blancett@sedgwicklaw.com
christopher.losquadro@sedgwicklaw.com
christopher.novak@sedgwicklaw.com
william.brennan@sedgwicklaw.com

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the following was served this 23rd day of January, 2017 by electronic transmission and ECF upon counsel.

/s/ William J. Brennan
William J. Brennan, Esq.